

## REMARKS

The present amendment is submitted in response to the Office Action dated September 15, 2008, which set a three-month period for response, making a response due by December 15, 2008.

Claims 16-31 are pending in this application.

In the Office Action, claims 1, 3-8, 10-15 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1, 3-8 and 10-15 were rejected under 35 U.S.C. 102(b) as being anticipated by UK Patent Application '566 ("GB '566"). Claims 1, 3-8 and 10-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over UK '566.

In the present amendment, claims 1, 3-8, and 10-15 have been canceled and new claims 16-31 have been added.

With regard to new claims 16 and 17, the feature of a tool fitting body with a receiving region of the tool holder is disclosed on page 6, lines 29-30 and recited in former claim 7. The feature of the bearing surface was originally recited in former claim 1. The feature that the rotary hammer bit or the chisel bit may be inserted into the tool fitting body in an insert direction parallel to the bearing surface is shown in Fig. 2. The feature of the centering means of the tool holder was recited in former claim 1. The feature of the inserting region of the adapter is shown in Figs. 2 and 3. The feature that the adapter abuts on the bearing surface of the tool holder when mounted was recited in former claim 8, as is the feature

of the receiving region of the adapter. The feature of the centering surface of the adapter and the feature that the centering surface of the adapter corresponds to the centering surface of the tool holder are recited in former claim 12.

The features of new claim 18 are shown in the figures are disclosed on page 6, line 30 to page 7, line 4. The limitations of new claim 19 are recited in former claim 3 and shown in Fig. 2, while the features of claim 20 are disclosed on page 7, line 4. The features of claim 21 are disclosed on page 7, line 3, and the features of new claim 22 are disclosed on page 6, lines 28-30. The features of new claims 23 and 24 are disclosed on page 7, lines 5-6. The features of new claims 25 and 26 are disclosed on page 7, lines 7-10 and lines 12-15, respectively. The limitations of new claim 27 are disclosed on page 6, lines 16-19 and page 7, lines 17-24. The features of new claims 28 and 29 are disclosed on page 7, lines 26-29. Finally, the features of claims 30 and 31 are disclosed on page 8, lines 4-8.

GB '566 discloses a hand-held power tool (10) with a removable tool holder (21a). This reference discloses the feature of a tool holder (21a) with a tool fitting body (24) with a receiving region for receiving a tool (15), the receiving region forming a bearing surface (23) for supporting the tool (15) such that the tool (15) may be inserted into the tool fitting body (24) in an insert direction parallel to the bearing surface (23) (see Fig. 2 in GB '566).

The tool holder (21a) can be slid onto a sleeve (18) of the power tool (10) and affixed thereon. The sleeve (18) is not to be interpreted as a tool fitting body

in the sense of claim 16, since the sleeve (18) lacks the feature required in claim 16 of a receiving region forming a bearing surface for supporting the tool (15).

GB '566 lacks the feature that the tool holder (21a) has a *centering means* that is provided to center an adapter which is distinct from the tool (15), the centering means having at least one centering surface which is separate from the bearing surface (23). Claim 16 is therefore not anticipated or rendered obvious by GB '566.

Concerning claim 17, GB '566 discloses only a tool, shank (15) which is inserted into the receiving region of the tool fitting body (24). This prior art lacks therefore the feature of an *adapter* which is provided to receive a chuck for a drill bit and provided to be inserted into the tool holder (21a).

In addition, GB '566 lacks *de facto* also all the features regarding the construction of the adapter. In particular, GB '566 fails to disclose an adapter comprising a centering means which is provided for centering the adapter with respect to the tool holder (21a), the centering means having at least a centering surface being provided to correspond with a centering surface of the tool holder.

Based on the above distinctions, claim 17 therefore is also patentable over GB '566.

A system as defined in new claim 16 has the advantage that a fitting of an adapter in the tool holder can be made with a very small amount of play and eccentricity. It is possible to avoid an unwanted tilting angle of the adapter in the tool holder. The very small amount of play and eccentricity due to the centering

means of the taught system makes it possible to work with the adapter in a particularly comfortable and precise way.

Another advantage is that the centering means of the tool holder and of the adapter are provided to achieve a particularly simple mounting of the adapter, wherein the centering of the system is not sensitive to soiling.

GB '566 offers no suggestion or teaching which would motivate someone skilled in the art to provide a system with a tool holder for receiving an adapter, wherein the tool holder has a centering means for centering the adapter with respect to the tool holder.

Further, GB '566 fails to disclose or suggest providing a system with a tool holder and an adapter for inserting into the tool holder, wherein the tool holder and the adapter both have corresponding centering means provided for centering the adapter with respect to the tool holder.

Therefore, the practitioner could not be led to the present invention as defined in the amended claims, since GB '566 fails to disclose or suggest the above features.

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

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